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MESSAGE
OF
RETIRING-GOVERNOR
PETER NORBECK
TO THE
SEVENTEENTH
LEGISLATIVE SESSION
STATE OF SOUTH DAKOTA
1921

copy!

M E S S A G E *o f*
RETIRING-GOVERNOR
P E T E R N O R B E C K

—TO THE—

SEVENTEENTH LEGISLATIVE SESSION

STATE OF SOUTH DAKOTA

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PETER NORBECK, *Governor*
1919 to 1921

Message of Retiring-Governor Peter Norbeck

It does not seem appropriate for the retiring Governor to consume much of your time, nor to pass on questions of State policy. A new administration assumes its duties today—with a new Legislature. The various branches are in perfect accord and harmony. I believe it is for the incoming Governor to outline a policy and make specific recommendations.

Custom and good public policy, however, dictate that the retiring Governor shall make a report of the work done and the experience gained, and this is what I will attempt to do.

It has been a privilege to have had something to do with making history in South Dakota the past four years. Much progressive legislation has been enacted during this period. The need of this legislation has been spontaneous, in that it has come from all our people. Other states are following our lead and hardly a day passes but what we are called upon to explain to people of affairs in other states our Rural Credit Law, our Bank Guaranty Law, our State Hail Insurance Law, and our Americanization Act. We were also among the first states to ratify the Woman's Suffrage and the Prohibition Amendments.

We have passed through several years of stress and strain, such as our good state has never before experienced. The war problems were many. The readjustment is difficult. The economic problems of the western agricultural states are many. An honest effort has been made to meet existing conditions. It is my opinion that much good has been accomplished. The continued success of the different activities recently inaugurated depend upon future administrations.

I have had most splendid co-operation. Every recommendation I have made to the four Legislatures that have met during my tenure of office with very few exceptions—have been enacted into law. Our charitable institutions have enjoyed a much better growth than in any period of our history. No state in the Union gives greater consideration or better care to its unfortunates, but more can and should be done along this same line.

EDUCATION

The liberal appropriations made by the state for educational purposes have changed the entire educational outlook of the state. I refer especially to the laws giving state aid to consolidated and other schools that come up to certain standards; as well as the law providing for normal training at state expense in one high school in each county. Under this system, these schools will soon be able to furnish a thousand new teachers each year for our rural schools. While the State Normal Schools have done splendid work, they have in the main supplied teachers only for the town and city schools.

Our state passed the first Americanization Act. It is working well and other states are following. It has not been found necessary to strongly invoke the enforcement feature of the law to get attendance. Where night

schools have been established, the attendance is generally good from the state.

The educational survey made by the National Bureau of Education points the way to greater improvement—to a better educational system at less expense. By some consolidation and especially by better co-operation of the state educational institutions, the county unit school system strongly recommended in this survey is now being tried out fairly in the unorganized counties of the state. A few more years of trial will show whether this system has all the advantages claimed for it. It will indeed be well to safeguard this matter when the counties are organized, so that the county unit may be given a fair test.

The Free Text-Book Law was an important forward step—not only as a matter of equal opportunity to every child, but also as a matter of actual economy to the people of the state.

It was certainly a disappointment to see the Board of Control Amendment to the Constitution fail of adoption at the last election. It would have reduced the number of board members on the state payroll. It would also have permitted the placing of educational institutions, such as the School for the Blind, and the School for the Deaf and Dumb, under the Board of Regents, together with other educational institutions. No doubt this change will be made in the not distant future.

LAW ENFORCEMENT

In the matter of Law Enforcement this state has taken several forward steps by conferring greater powers upon the central authority. This was done because nothing creates greater disrespect for law than permission to each community to enforce such laws as it chooses and to disregard all others. The most important law enacted recently to meet this condition was probably the one conferring power upon the Attorney General to prosecute and defend all cases in which the state is a party or interested. I believe the time is not many years distant when the prosecution of important criminal cases will be largely conducted by the office of the Attorney General. The establishment of the office of State Sheriff was another important step in the same direction. This office was originally created largely for the enforcement of the prohibition laws, but when local officers failed to enforce the automobile laws relating to licenses, head-lights and to dimmers, the matter of enforcement fell upon the State Sheriff. It became necessary for him to make some four hundred arrests before the violators of the state laws realized that the tolerance, connivance or indifference of local enforcement officers did not protect them. A large number of grand larceny cases have also been handled by the State Sheriff.

INITIATIVE AND REFERENDUM

South Dakota was a pioneer state in the adoption of the Initiative and Referendum. We have now given it a twenty-year trial. I shall not discuss

it at length, for I have done so in previous messages; but I cannot refrain from remarking that we find there is a great deal of difference between theory and practice in this as in other matters.

Selfish interests have made good use of the referendum and defeated many splendid laws. By the expenditure of a small sum of money a referendum petition was secured that would stay the operation of the law until the next election (nearly two years.) A campaign propaganda in opposition to the law would follow. No person or organization could make great expenditures of money or effort to present the other side. The verdict of the voters was, therefore, based upon a misunderstanding.

The only law adopted by the initiative has been the so-called Richards Primary Law, which can hardly be classed as a primary law, for it has so many of the features of the convention and caucus system. The attempt of this law to take the appointive power away from the Chief Executive of the state and make the party state chairman the highest office in the state is ridiculous and probably unconstitutional. The same may be said of the purpose of this law to have the state central committee determine who should be the Agents of the U. S. Government within the borders of the state instead of leaving it to Federal authorities to make the actual selection. The so-called election of post-masters has been held by the Federal Government to be in conflict with our National Laws and good business principles. The appointive power should be held responsible for the conduct of its agents or representatives.

RURAL CREDIT

A great forward step was taken when the Rural Credit Law was adopted. It has brought into this state and loaned to the farmers nearly thirty million dollars of outside capital. The money has been loaned at a low rate of interest and on easy terms of payment. Thousands of young men have been assisted. The state has helped them to become home-owners and has placed them in a fair way to become prosperous and successful. The department is in the hands of men who are especially qualified and intensely interested in the undertaking. The success under C. M. Henry's management has been phenomenal. Adjoining states are taking great interest in our plan and several of them expect to follow the program that has been so successfully carried out in this state.

STATE HIGHWAYS

The State's road-building program as outlined by the Highway Commission is now well under way. A trunk system connecting the different sections of the state has been outlined and construction work is under way in nearly every county.

Like any new undertaking, progress has been slow. It takes time, effort and money to form an organization. Then too, war conditions have caused considerable delay and extra expense.

The Highway Commission has gradually surrounded itself with compe-

tent and efficient men and are doing splendid work. The funds available will be exhausted before another legislature convenes—therefore, provisions must be made at this time if the work is to continue. There seems to be scarcely a doubt but what further aid will be received from the National Government. To secure such aid South Dakota must contribute an equal amount. On all these projects where national aid is received, governmental requirements must be met, and while I have not always taken kindly to so much governmental supervision, yet we cannot afford to waive our share of future Federal aid. It is important, therefore, that provision be made at this session of the legislature for continuing the work so well under way.

The Federal Government has been liberal in its apportionment, in that it gave the western states a larger percentage of funds according to taxation and population than the eastern and more densely populated states. In other words, they recognized the difficulties of the pioneers in the sparsely settled communities and the necessity of highways for the development of the country, as well as for through travel. This spirit of the National Government is commendable, and we should show the same spirit in dealing with the sparsely settled sections of South Dakota, as the burden of highway construction falls correspondingly heavier in the newer sections of a state.

CEMENT PLANT

The Cement Commission has completed its investigation and the report is in the hands of the printer. The commission found that most of the so-called cement material in this state was unsuitable for economic production, but that in the Black Hills are deposits of unlimited quantities of the very choicest material.

The commission recommends that the state construct and operate a cement plant at Rapid City, where good material is abundant and easily accessible; where fuel is cheap and where electric power can be secured from hydro-electric plants now in operation on favorable terms. A contract has been entered into for the purchase of the necessary land at a cost of fifty thousand dollars—one-half of which amount has been raised by the Commercial Club of Rapid City. The matter now awaits further action of the legislature.

The cost of the plant, including the necessary working capital, was estimated last August at two million dollars. Under present conditions, this figure will be somewhat reduced.

HYDRO-ELECTRIC SURVEY

The survey of the water powers of the state has been completed. The survey has been checked by competent engineers. The reports are comprehensive and reliable and worthy of your serious consideration. The Hydro-Electric Commission believes that with the return of normal conditions, the plan to construct power plants on the Missouri River will be feasible and practical—providing long term bonds can be issued and sold at a rate of interest that is

not excessive. There will not be sufficient market for the entire production for several years, but it is believed that the demand will soon equal the supply. The engineers employed have found the most suitable site at Mobridge and advise us that current from this location can be produced and delivered to the populous sections of the state at the lowest cost. The second best location is the Mule-Head site—six miles above Wheeler.

COAL MINE

The State Coal Mine is in successful operation and will fill a long-felt want. Not only will it furnish fuel for our state institutions at low cost, but it will have a stabilizing effect on the fuel market. The people of this and other states are watching this experiment with much interest. Honest and efficient management is important. Barring unforeseen disaster, I am convinced of the entire success of the undertaking.

The time is not far distant when our entire fuel supply must come from our lignite coal deposits. The commission has made a comprehensive report of its work and progress which will be available within a day or two.

The cost of making improvements and purchasing and installing machinery has exceeded the estimates by about fifteen per cent. This explains the request of the Coal Commission for a small additional appropriation.

STATE INSURANCE

State insurance has proven a success in this state. Three branches of work have been covered—each of which has been successful. This of course does not mean that the state might be equally successful in other fields, though I call your attention to the fact that Workmen's Compensation is now furnished by many states at actual cost to the benefit of workingman and employer alike. Among these are several of the large eastern states.

State Hail Insurance has had two years' trial. Insurance has been carried at half the old rate—thereby effecting a saving to the farmers of two and one-half million dollars. Aside from this, a surplus has been created that will exceed a million dollars when this year's premiums now in process of collection have been received. Nearly four million dollars has been saved to the farmers that would otherwise have gone to insurance centers largely outside of our state borders. Of course, I have no way to forecast whether the same ratio would hold good over a long period of years, but it looks very promising.

I well realize that changes in the law must be made from time to time as experience dictates. It is my firm belief that of the several attempts at hail insurance our state has worked out the most promising plan.

The law providing that the state shall carry its own fire and tornado insurance on its property has stood a successful test of seven years and has caused a large saving to the taxpayers. Our experience, however, points the

way to possible improvements in the law; these are now recommended by the Insurance Commissioner.

The State Bonding Department, like other new ventures undertaken by the state, has been successful. It also has resulted in a material saving and reflects credit on the Insurance Commissioner who has administered this department, as well as the hail insurance, without extra compensation.

WORKMAN'S COMPENSATION.

The Workman's Compensation Law for the protection of those employed in hazardous work has proven of great value—not only to the workingman, but even more so to his family,—though the benefits paid are relatively low when compared with the prevailing high prices of every service and every commodity.

DRAINAGE

During the last year we have had excessive rainfall in many sections of the state. There is a crying need of drainage. Projects are proposed the cost of which runs into millions. It is evident that our present drainage law does not always fit conditions. It is intended to be local in its nature. Where it is sought to remedy a flood condition that covers more than one county the law is practically inoperative. The drainage question will never be satisfactorily worked out until this outstanding fact is recognized; that every water course including its water shed be considered a drainage district.

ARTESIAN WELL LAW

The last regular session of the legislature recognized the needless waste of artesian water that is causing the rapid failing of artesian wells, and a law was passed which it was hoped would accomplish something substantial along this line. One of the provisions required a registration of the wells. The assessors throughout the state ignored this provision of the law almost entirely.

From the official records it would seem there are only a few wells in South Dakota and none in the great James River Valley. Steps must be taken to make the law effective or it should be repealed.

LIVE STOCK SANITARY BOARD

The plan of placing the Stallion Registration Board, the Veterinary Medical Examination Board, under the Live Stock Sanitary Board, combining the three boards into one, has worked well. The state is in excellent standing with other states in the matter of live stock sanitation and with the U. S. Bureau of Animal Industry, which is fully co-operating—With a branch office located at Pierre. The Federal Bureau is spending considerable funds in this state,

notably in accredited herd work and indemnity in co-operation with the State Board.

The Live Stock Sanitary Board has been vigorously pushing the eradication of cattle diseases that have gained a foothold, but has been handicapped by a lack of funds and by certain restrictions as to its use of the funds.

STATE PARK

Considerable progress has been made in the development of the State Park. A little over half of the lands held by the State Land Department have been purchased by the Park Board; the remaining area will be secured as soon as patents are issued by the Federal Government and sale can be advertised. Large amounts of privately owned lands have already been secured by purchase. It has not so far been necessary to invoke the right of eminent domain, but this will be necessary in a few cases where outsiders have purchased land in the park since this area was set aside for a public purpose, and they are now holding the land at unreasonable prices.

The Sylvan Lake property has been acquired and the necessary improvements and repairs are now under way. The hotel is entirely inadequate and some cheap cottages should be built on the ground for the accommodation of visitors. Camping places with a few conveniences should be established in different sections of the Park.

The Federal Government was liberal in turning over to the state for park purposes approximately twenty-five thousand acres, which takes in the Sylvan Lake and Harney Peak area. The fencing of the area by the state has been promised. This will require about 27 miles of additional fence.

A system of highways is being built that will connect this scenic wonder and recreation ground of the future with the different sections of the state.

There are now in the Park about six hundred elk, three hundred deer, and sixty buffalo. The elk especially are rapidly increasing in number and promise to become a good source of revenue in the future. The state receives a substantial income from the sale of mature timber.

Many improvements are needed-among which is a comprehensive telephone system-not only as a matter of convenience for the Park visitor but as a matter of necessity for the fire protection service. The forest area of the Park is large and fires are of frequent occurrence during the summer months. Appropriations should be made-not only for the purchase of additional state lands, but also to secure title to the remaining privately owned farms within the Park borders, thereby removing the cause of so much controversy.

PUBLIC LANDS

South Dakota has set a splendid example in the honest and efficient manner in which it has conserved the valuable gifts of public land granted us by our Federal Government. The sales to date amount to about twenty-

seven million dollars. In our thirty years of statehood not one dollar has been lost to this fund. The fact that the fund has been loaned here at home has been a means of encouraging the development of the state and helping thousands of our farmers. There still remains to be sold about 2,678,814 acres.

The thirty-year payment plan recently adopted is having a most severe test under present financial conditions but from present indications has come to stay. A better opportunity is given the purchaser and better prices are realized at the sales.

WAR VETERANS

South Dakota's debt of gratitude to her soldiers and sailors can never be measured—neither the length nor the breadth—and neither can it ever be paid. However, our great state will ever cherish the memory of her heroic dead and will continue to honor and appreciate the services of those who answered the call to arms and served their country in field, in camp, on the sea and on the firing line. The relief appropriation made by the Special Session of the Legislature is evidence of that appreciation and was a big step into the right direction.

The Vocational Training provided for in co-operation with the Federal Government at the State Agricultural College will help a large number of those needing assistance.

The Land Settlement Act has been the means of extending credit to very many and has worked in harmony with the Rural Credit System. The serious financial stringency, however, has greatly hampered the work contemplated. This I regret very much—for I believe the state should and could with entire safety extend further credit than has been possible under existing conditions.

The Soldiers' Bonus Amendment to the Constitution adopted by the voters at the last election shows an added appreciation on the part of our whole citizenry—both women and men. Our state is one of the few that have taken such favorable action.

SOLDIER'S MEMORIAL

The matter of raising funds for the Soldier's Memorial has been proceeding steadily.

Voluntary- contributions are	\$45,846.28
Cash received by Governor from County appropriations ...	7,521.41
Cash received by Governor from interest on deposits.....	1,249.29

Total	\$54,616.98
Less expense	439.25

.....	\$54,177.73
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In addition to the above, there is in the hands of the County Committees so far reported, \$7,521.41.

The County appropriations above referred to are from the Counties of

Beadle, Lyman and Sully. No appropriation is asked by the committee where the full quota was raised by voluntary subscription-therefore, the sums appropriated by the counties represent the difference between their quota and the money already raised by subscription.

The following sums have been appropriated by the counties to be paid as the funds are required for the erection of the memorial:

Codington.....	\$4,539.29
Deuel.....	1,707.18
Hand.....	3,724.07
Harding.....	909.92
Hyde.....	872.46
Spink.....	7,368.78
Ziebach.....	467.83
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Total.....	\$23,619.53
Total cash in hand and appropriated	83,581.84

It is hoped by the committee that the sum raised will be nearly two hundred thousand dollars. Had it not been for the financial stringency, I believe that nearly that amount would have been available by this time. The county officials of many counties have, however, advised us unofficially of their intention to make appropriations at the January meeting of the County Boards.

STATE CAPITOL BUILDINGS

The establishment of the Rural Credit, State Hail and Highway Departments has over-taxed the capacity of the State Capitol Building. The office rooms are over-crowded and several departments now have headquarters in the corridors. For others, quarters have been rented in down town buildings. The risk from fire is great. There is also lack of efficiency and co-ordination where the departments are scattered or where the working force is divided.

The last regular session of the legislature made provision for the erection of an office building but the Capitol Commission did not deem it advisable to undertake the construction during the period of high cost of material and scarcity of labor. Plans for the office building have been prepared by architects. The Capitol Commission is awaiting instructions from the legislature as to the speed with which it should proceed with the work.

The special session held last summer instructed the Capitol Commission to secure grounds for a governor's residence and have plans prepared for the building. This has been done and this matter is also before you for consideration.

STATE BUDGET

The principle of a budget for covering the expenditures of public money

is still in an experimental stage with the American commonwealth, but in order to get away from the many abuses of the old system the different states are gradually coming to the adoption of some form of a budget plan. The National Government will-I believe-in the near future enact a budget law. The budget plan makes possible a thorough investigation, careful sifting and sound recommendations; it makes for better efficiency and greater economy. I believe that our plan is as good as any yet in operation.

The present board has gone into its work intelligently, thoroughly, and in the right spirit. Its recommendations will be a safe guide to follow.

EFFICIENCY

The state has gone into so many lines of activities that business efficiency in the various institutions and departments is of ever increasing importance. Under the present system, there are no fixed rules, no classification of employees, little uniformity in compensation paid for services rendered. Cooperation between the departments is not what it should be, though considerable improvement is in evidence. Some employees are over-worked and underpaid; in other cases, the reverse is true.

A general civil service might not be necessary, but I have never able to see why the law should not provide for classification of employees and for a uniform day. If the state is to succeed in its business undertakings, business methods must be employed.

STATE REPORTS

There will be thirty-nine separate state reports printed in 1920, a total of six thousand pages. The cost of these will be about seventeen thousand dollars. Only about five hundred copies of each are distributed.

Would it not be better to provide for a condensed report of approximately six hundred pages and print twenty-five thousand copies of same for general distribution. We could save five thousand dollars, but what is of even more importance is that the tax payers could be informed as to the work of the various departments. There are a few reports that it would be necessary to print in full, but only a few. Among these is the report of the Attorney General and the State Horticultural Society. These latter should be provided in a much larger number for their educational value. Intelligent development of horticulture is one of the urgent needs of a prairie state. The Printing Commissioner is prepared to furnish information desired.

PRISON REFORM

The prison reform problem is with us everyday. With the adoption of the State Prohibition Law the number of inmates in the penitentiary decreased rapidly; but during the war period and since, the number has increased.

Whatever the cause may be, we have as a people less respect for law and order than we did four years ago. I believe, however, that an improvement for the better is near at hand and that we will soon return to normal conditions in this as in other respects. In any event, there will continue to be prisoners in the penitentiary as long as human nature lacks perfection. Most convicts are in prison because they have failed to recognize the rights of others and have deliberately and willfully violated the laws of the state. A few may fairly be called "victims of circumstances," owing to lack of early training—the keeping of bad company, etc.

A visit to the penitentiary reveals the astonishing fact that a majority of the prisoners are young men. In fact, a great many of them are mere boys.

I believe that methods of dealing with convicts in the South Dakota penitentiary, under the present management, are as humane and progressive as in any state penitentiary in the Union. But there is, of course, in prison management, as in other enterprises, room for improvement. The main effort must be to reform and redeem as many unfortunate offenders as possible. But four years of close observation has convinced me that the class of "impossible" is rather large.

During the last two seasons, a number of convicts have been employed in the construction of a highway system in the State Park. The experiment can safely be extended somewhat. The outdoor work has been of great benefit to the prisoners. In large measure the success of the employment of convicts in this public work is to be attributed to the fact that the prison authorities have exercised great care and judgment in selecting men for the work. However, in certain instances those selected were found impossible and it became necessary to return them to the penitentiary.

The weakness of the present system is in the lack of state parole officers. Several should be employed and could be employed with great benefit to the state, and certainly with much benefit to those paroled or released from the State Training School, as well as the penitentiary. In any place for the reformation of the inmates of these institutions, the fact must not be overlooked that they must be dealt with as individuals. The peculiarities and the weaknesses of each must be considered. Encouragement and assistance must be given to prevent the individual from falling back into his old habits and joining former associates.

At the present time, one member of the Board of Charities and Corrections is expected to perform this service. Hon. C. B. Powers has been so designated. He has evidenced in this work good judgment, sympathy and enthusiasm always willing to make any sacrifice for the good of those under his charge. The work on the board takes much of his time. There should be several parole officers in order to cover the field properly.

UNORGANIZED COUNTIES

There are still five unorganized counties. Four of these have a consider-

able percentage of white settlers as well as property holding Indians. One of these—Todd County—is settling rapidly.

Under the provisions of special laws, public school systems have been established in three of these counties under supervision of a county school board appointed by the Governor and much progress has been made. In the same counties considerable money is raised by taxation for the building of roads and bridges, under the direction of a County Highway Board, which is also appointed by the governor. These provisions for roads and schools have so far been satisfactory but must be recognized as a temporary expedient to be used until such a time as the percentage of taxpayers in the county is sufficiently large to justify county organization.

The provisions of law for attaching such counties to organized counties for judicial and real estate recording purposes is the best makeshift that can be devised for the present.

The plan of having the assessors for such unorganized counties appointed by the County Board of another county does not work at all well and much property escapes taxation. If such assessors could be appointed by some central authority, like the Governor or the Tax Commission, and the compensation be based on conditions under which the work must be done, much better results could be secured.

There is a natural desire on the part of the citizens in these counties to exercise the sacred right of franchise. They do not desire to exercise this right in county or local affairs, as the taxpayers would be in the minority; but all would like to have a voice in state and national affairs. I can see no danger in so providing if proper safeguards are placed in the law.

Where a school board supervises twenty schools located in different sections of a large unorganized county-, it might be advisable to provide some compensation. The same may be said of the county highway board. A compensation is of course of most importance in the larger counties where the most work is being done.

IN CONCLUSION

I conclude this communication with the full appreciation that I am omitting the review of many subjects of importance in the several departments of state of which you should be fully informed. This omission is not because of any lack of interest in these departments, but in the confidence that the annual reports prepared by the department heads will give you full and detailed information. You are fortunate in having many members who have had long experience in the work of legislation and indeed the state is fortunate in the choice of officials who will have charge of her governmental affairs for the succeeding two years. The incoming officers are thoroughly familiar with the needs of the state and I feel every confidence that a highly constructive program will be the result of their efforts.

We have established in South Dakota a good record for progressive, sane legislative enactments and our state stands today in the front rank of progressive commonwealths—a position won by the intelligence, the courage and

determination of her citizens. Our people were not carried away by the widespread agitated restlessness which has been rampant in so many sections of the country and in consequence our statutes are remarkably free from ultraradical freak legislation. This is ground for congratulation.

The citizens of South Dakota are separating themselves from petty jealousies—from factionalism—and are now busy in enthusiastically bending their energies toward the higher duty of state development and community building.

This business of state building is a grand and noble work and I am anxious that we make greater strides along and through every avenue of development. Let us advance our great agricultural interests, enlarge our herds and flocks, promote every commercial and industrial enterprise, improve our already splendid schools, take even better care of our unfortunates, and in all things seek the common good.

I have an abiding faith that you will each strive to fully discharge the duties before you and I trust that the greatest degree of harmony and success will attend your endeavors. I wish you well—each and every one—and am confident that in all your efforts you will look toward the welfare, prosperity and happiness of the entire people of South Dakota.

REPRIEVES, COMMUTATIONS, PARDONS

The following is a complete list, in accordance with statutory provisions, of all remissions of fine, reprieves, commutations of sentence and pardons granted by the Executive during the past biennial period, in the cases in which he was by law authorized to act without the recommendation of the State Board of Pardons

JOHN WILSON, sentenced on the 18th day of January, 1918, from the county of Lawrence, for the crime of adultery; term two years. Upon the recommendation of the Warden of the penitentiary, Board of Charities and Corrections, the States Attorney who prosecuted the case, and in consideration of certain extenuating circumstances, a full pardon was granted on May 24, 1919.

SILAS QUICK BEAR, sentenced from the county of Mellette; crime of bigamy; term one year and six months. The prisoner's family consisting of a wife and four children were in dire need of his assistance and support; the prison record was clear, and in consideration of these facts and the further fact that the prisoner was a Sioux Indian of full blood and not familiar with the habits and customs of the white race, a pardon was granted on the 14th day of July, 1919.

JOE EDDY, sentenced for a term of one year and six months, convicted at the regular 1919 term of the Circuit Court within and for the county of Hanson; crime of seduction under promise of marriage. The prisoner was but a youth and prior to the commission of the offense for which he was convicted bore an excellent reputation in his home community. Also there was some

doubt of the prisoner's guilt, and in view of all the facts, a pardon was granted on September 5, 1919.

CHARLES WESTERLAND, JR. and ARTHUR WESTERLAND, sentenced on October 26, 1919, from the county of Lawrence to terms of eight months and eighteen months respectively, for the crime of killing two lambs. Prior to the commission of this offense, these two extremely young men were known as honest, hard-working and industrious citizens. The parents of the prisoners are aged and infirm -and in need of the support of these sons. The boys had been in service. In view of all the facts presented, a reprieve was granted on September 24, 1920.

J. P. HERRON, sentenced from the county of Brown on the 28th day of June, 1920, for the crime of adultery; term of nine months in the state penitentiary. The prisoner was a man with a large family to support, being the father of nine children; the family was in destitute circumstances. The parole officer investigated the case and recommended that a pardon be granted. This was done on the 13th day of December, 1920.

HENRY SWENSON, sentenced to one year's imprisonment from Hamlin county, on September 24, 1920, for the crime of adultery. The Warden, of the penitentiary stated that the prisoner's conduct since commitment was excellent ; prior to the commission of this offense the prisoner was well reputed in his home section. The Board of Charities and Corrections, through its parole officer, investigated the case. There were extenuating circumstances and in view of all the facts presented, a full and unconditional pardon was granted on the 31st day of December, 1920.